

## **MINUTES**

### **MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **CHAIRMAN CHUCK SWYSGOOD**, on February 9, 1999  
at 4:30 P.M., in Room 108 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Chuck Swysgood, Chairman (R)  
Sen. Tom A. Beck (R)  
Sen. Chris Christiaens (D)  
Sen. William Crismore (R)  
Sen. Eve Franklin (D)  
Sen. Greg Jergeson (D)  
Sen. J.D. Lynch (D)  
Sen. Dale Mahlum (R)  
Sen. Ken Mesaros (R)  
Sen. Linda Nelson (D)  
Sen. Debbie Shea (D)  
Sen. Mike Taylor (R)  
Sen. Daryl Toews (R)  
Sen. Mignon Waterman (D)

**Members Excused:** Sen. Tom Keating, Vice Chairman (R)  
Sen. Bob Keenan (R)  
Sen. Ken Miller (R)  
Sen. Arnie Mohl (R)

**Members Absent:** None.

**Staff Present:** Shannon Gleason, Committee Secretary  
Clayton Schenck, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted:  
Executive Action: SB 164 SB 323 SB 301

**EXECUTIVE ACTION ON SB 247**

**Discussion:** Chairman SWYSGOOD advised the committee there were no funds to support this bill, although the tobacco settlement is being talked about the money is not here yet.

**Motion:** SEN. TAYLOR moved that SB 247 BE TABLED.

**Vote:** Motion carried 11-4 with Lynch, Nelson, Franklin, and Waterman voting no. SEN. MOHL voted via proxy.

**EXECUTIVE ACTION ON SB 323**

**Motion:** SEN. LYNCH moved that AMENDMENT SB032301.ACS BE ADOPTED.  
{Tape : 1; Side : A; Approx. Time Counter : 4:38}

**Discussion:**

CHAIRMAN SWYSGOOD advised he agreed to refer the bill to Public Health after Finance and Claims had heard the bill.

SEN. JERGESON advised the amendment strikes everything after health care on line 15. CHAIRMAN SWYSGOOD advised the bill precluded any new programs from being funded because of the 1/1/1999, and the amendment address the concern with the date by stating funding will be considered for all requests appropriate.

**Vote:** Motion carried unanimously.

**Motion:** SEN. LYNCH moved that SB 323 DO PASS AS AMENDED.

**Substitute Motion/Vote:** SEN. BECK made a substitute motion that SB323 BE TABLED. Substitute motion failed 2-13.

**Motion/Vote:** SEN. LYNCH moved that SB 323 DO PASS AS AMENDED.  
Motion carried 13-2 with BECK and Toews voting no.

SEN. MOHL voted via proxy.

**Vote:** Motion carried 2-13 with SEN. BECK and SEN. TOEWS voting no. SEN. MOHL voted via proxy.

**EXECUTIVE ACTION ON SB 301**

**Motion:** SEN. FRANKLIN moved that AMENDMENT SB030101.AGP BE ADOPTED.

**DISCUSSION:** **SEN. FRANKLIN** explained the amendment added a sunset to the Resource Indemnity Trust (**RIT**) interest appropriation in 2014. This allows a non expendable trust to be created after the bonds are paid in 2006, and gives MSU-Northern compensation for not receiving a land grant.

**SEN. TOEWS** noted he disagreed with a trust fund and therefore could not support this bill as amended.

**SEN. BECK** advised **SEN. TOEWS** the theory was to get MSU-Northern out of the grant process but still compensate them for not receiving land grant money all the other universities received, **SEN. BECK** added that by the year 2014 MSU-Northern would have enough money in the trust to support the program on the interest generated.

**SEN. WATERMAN** wondered how much money this would amount to, **CHAIRMAN SWYSGOOD** advised \$240,000 for 8 years totaled \$1,920,000.00, plus interest.

**SEN. FRANKLIN** noted the intent was to make them independent to some degree, and after 8 years they were on their own, similar to a nest egg for the future.

**CHAIRMAN SWYSGOOD** questioned how this scenario fit into the bill passed on the floor by **SEN. KEATING**, the committee agreed and noted this funding was out of the fund the bill sunset, and it was possible there would be no funding at all for this. It was decided during third reading the committee would monitor the outcome of both bills.

**SEN. TAYLOR** added the other bill had to go through the house and would probably be taken care of there.

**Motion:** **SEN. WATERMAN** motion that **SB 323 DO PASS AS AMENDED EXHIBIT (fcs32a01)**.

**Substitute Motion:** **SEN. BECK** made a substitute motion that **SB323 BE TABLED**.

**Vote:** Motion failed 6-8 with Crismore, Franklin, Swysgood, Lynch, Nelson, Taylor, Waterman and Jergeson voting NO.

**CHAIRMAN SWYSGOOD** advised the committee because the votes from the four members who were excused could change the outcome of the motion, the motion would be held over and the members contacted for their vote. **SEN. BECK** noted the vote would probably be against his motion and withdrew the motion.

Motion/Vote: SEN. LYNCH moved that SB 301 DO PASS AS AMENDED  
**EXHIBIT**(fcs32a02). Motion carried 13-2 with Toews and Beck voting  
no.

CHAIRMAN SWYSGOOD advised the committee he would speak with SEN.  
CRIPPEN about holding SB 164 until some source of funding was  
found.

**ADJOURNMENT**

Adjournment: 4:57 P.M.

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SEN. CHUCK SWYSGOOD, Chairman

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SHANNON GLEASON, Secretary

CS/SG

**EXHIBIT (fcs32aad)**